IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6706 OF 2002

Rahi Madhav Joshi & Ors. .. Petitioners
Vs.
Narendra Madhav Acharya .. Respondent.

Mr.S.B.Deshmukh for the petitioners.
Ms.Sunita Shetkar for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 17TH FEBRUARY, 2005

P.C.:

. Heard Mr.Deshmukh, learned counsel for the petitioners and Ms.Shetkar, learned counsel for the respondent.

2. Mr.Deshmukh, learned counsel for the petitioners states that the petitioners would be satisfied if the question raised in the instant writ petition, as to whether or not a xerox copy of the disputed Will could be exhibited, be allowed to be agitated in substantive appeal after disposal of the suit and if he is given such liberty he has instructions not to press this writ petition. The learned counsel for the respondent has no objection for granting such liberty. After having heard the

learned counsel for the parties, in my opinion, the writ petition can be conveniently disposed of by the following order:

. It is open for the petitioners to agitate the aforementioned question as raised in the instant writ petition in the substantive appeal that would be filed after disposal of the suit by either of the parties. All contentions are left open. The writ petition is disposed of as not pressed.

(D.B.Bhosale, J.)